

AUG 17 2007

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TO: Examiner Mila Airapetian - Group Art Unit 3625 - U.S.P.T.O.

Fax No. 571-273-8300

Phone No. 571-272-6763

FROM: Donita Konrad (Typed or printed name of person signing Certificate)

Fax No. 513-634-6108

Phone No. 513-634-9298

Application No.: 10/617,462

Inventor(s): Patrice Petrong

Filed: July 11, 2003

Docket No.: 8393MCL

Confirmation No.: 3245

FACSIMILE TRANSMITTAL SHEET ANDCERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 17, 2007, to the above-identified facsimile number.

Donita Konrad (Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission:**

- 1) Response to Notification of Non-Compliant Appeal Brief with exhibits (9 pgs.)
- 2)
- 3)
- 4)
- 5)

Number of Pages Including this Page: 10

Comments:

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AUG 17 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/617,462
Inventor(s) : Patrice Petrong
Filed : July 11, 2003
Art Unit : 3625
Examiner : Mila Airapetian
Docket No. : 8393MCL
Confirmation No. : 3245
Customer No. : 27752
Title : Customer Specific Web Order Management System Which
Provides Real Time "Quality Order" Validation

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
REQUEST FOR RE-CONSIDERATION

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby requests reconsideration of a "Notification of Non-Compliant Appeal Brief" (37 CFR 41.37) dated August 13, 2007 (hereinafter "Notification"). Applicant respectfully submits that NO amendments were made subsequent to the final rejection, and as such, the Appeal Brief need not contain a statement of the status of each such amendment since no such amendment was made. In view of the foregoing, Applicant respectfully submits that Applicant's Appeal Brief filed July 12, 2007 is fully compliant.

The Notification alleges that, "At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment." (Emphasis added). As an explanation of the foregoing, the Notification states: "Status of Amdt. section states not amdt. Filed. Amdt. was filed 9-25-06." The Notification bears the signature of Examiner LaShawn Hinton.

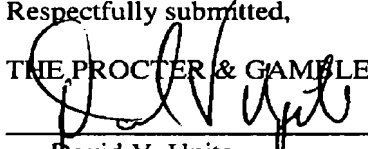
Applicant respectfully submits that no amendments were made subsequent to the final rejection. As for the amendment filed 9-25-06, Applicant respectfully *assumes* that Notification is referring to the Amendment that was filed 9-22-06. See Exhibit 1a and

Exhibit 1b. Applicant's Amendment of 9-22-06 admittedly does make claim amendments; however, the amendment was made in response to a **NON-final** office action. See Exhibit 2. According to Applicant's records, the final office action is dated 12-13-2006 – almost three months after the alleged amendment subsequent to final. For clarity, Applicant submits that NO claim amendments have been filed subsequent to the **final** rejection. As such, the Applicant's Brief need not contain a statement of the status of each such amendment filed subsequent to the final rejection since NO such amendment was filed.

Applicant hopes that this Request for Reconsideration of the "Notification of Non-Compliant Appeal Brief" clarifies the facts of the record such that the Appeal Brief will now be considered "compliant" and thus subsequently filed and presented to the Board of Appeals for their consideration.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



David V. Upite
Registration No. 47,147
(513) 634-9345

Date: August 17, 2007

Customer No. 27752

EXHIBIT 1A

AUG 17 2007

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TO: Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

FROM: Diane Robinson (Typed or printed name of person signing Certificate)

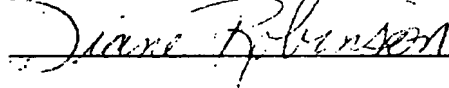
Fax No. 513-634-6108

Phone No. 513-634-2477

Application No.: 10/617,462
Inventor(s): Patrice Petong
Filed: July 11, 2003
Docket No.: 8393MCL
Confirmation No.: 3245

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that I have reasonable basis to expect that, on September 22, 2006, this correspondence is being mailed or deposited with the United States Postal Service with sufficient postage as first class mail to the address identified above.

 (Signature)

Listed below are the item(s) being submitted with this Certificate of Mailing**:

- 1) Reply After 1st Office Action under 37 CFR §1.111(b) (18 pages)
- 2) Replacement Sheets of Drawings (18 sheets)

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EXHIBIT 1B

AUG 17 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 8393MCL
Inventor(s) : Patrice Petong
Filed : July 11, 2003
Art Unit : 3625
Examiner : Mila Airapetian
Docket No. : 8393MCL
Confirmation No. : 3245
Customer No. : 27752
Title : Customer Specific Web Order Management System Which
Provides Real Time "Quality Order" Validation

AMENDMENT AFTER 1ST OFFICE ACTION UNDER 37 CFR §1.111(c)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

In response to the Office Action of June 23, 2006, please amend the above-identified application as follows, consider the following remarks and reconsider the application.

Please amend the above-identified application as follows:

Amendments to the Drawing begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 11 of this paper.

An *Appendix* including amended drawing figures is attached following page 18 of this paper.

EXHIBIT 2



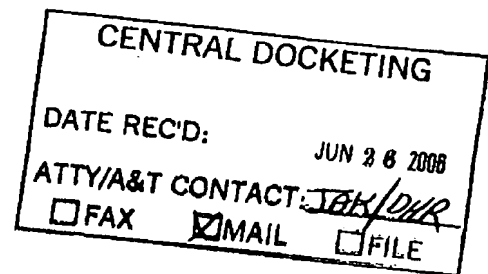
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/617,462 | 07/11/2003 | Patrice Pctong | 8393MCL | 3245 |
| 27752 | 7590 | 06/23/2006 | EXAMINER | |
| THE PROCTER & GAMBLE COMPANY INTELLECTUAL PROPERTY DIVISION WINTON HILL BUSINESS CENTER - BOX 161 6110 CENTER HILL AVENUE CINCINNATI, OH 45224 | | | AIRAPETIAN, MILA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3625 | |

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary**Application No.**

10/617,462

Applicant(s)

PETONG, PATRICE

Examiner

Mila Airapetian

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-17 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 05/25/2006
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

U.S. Patent and Trademark Office
 PTOL-326 (Rev. 7-05)

Office Action Summary

Part of Paper No./Mail Date 05122006